
Notice of Intent to Adopt a Rule

TITLE 25 INDIANA DEPARTMENT OF ADMINISTRATION

LSA Document #02-150

Under IC 4-22-2-23, the Indiana Department of Administration intends to adopt a rule concerning the following:

OVERVIEW: Public Law 195-2001 (HEA 1401) contains several provisions that affect rules previously promulgated by the Indiana department of administration (department). The provisions of Public Law 195-2001 supersede, directly and indirectly, some portions of existing department rules. Certain new provisions of Public Law 195-2001 establish the governor's commission on minority and women's business enterprises (commission). It also sets forth the membership of the commission and requires the department to adopt administrative rules to ensure that certain goals established by the commission are met. This legislation requires the department to amend portions of those rules that are superseded by Public Law 195-2001 or are otherwise inconsistent with Public Law 195-2001. The department intends to adopt rules to amend provisions of existing rules that are impacted by Public Law 195-2001, by adding to existing rules as required by Public Law 195-2001, making the rules completely consistent with, and in conformance with, the requirements of Public Law 198-2001. The department also intends to revise, edit, delete, add, or otherwise amend the existing rules, as it may deem desirable in order to make them compliant with the provisions of Public Law 195-2001. Although the department is still in the process of identifying all rules that may be affected by Public Law 195-2001, it has determine that amendments will be required to 25 IAC 1.1 (regarding state procurement), and 25 IAC 2 (regarding public works projects). The department invites suggestions, questions, comments, arguments, or views in these matters. Written questions or comments on the adoption may be directed by mail to F. Daniel Gettelfinger, staff counsel for the Indiana Department of Administration, 402 West Washington Street, W479, Indianapolis, Indiana 46204 or by electronic mail to dgettelfinger@idoa.state.in.us. Statutory authority: IC 4-13-1-4; IC 4-13-1-7; IC 4-13-2-9; IC 4-13-16.5-1; IC 4-13.6-3-1.

TITLE 250 LAW ENFORCEMENT TRAINING BOARD

LSA Document #02-143

Under IC 4-22-2-23, the Law Enforcement Training Board intends to adopt a rule concerning the following:

OVERVIEW: To amend or add to, with numerous incidental and/or substantive changes, 250 IAC 1. Effective 30 days after filing with the secretary of state. Questions or comments on the proposed amendments, additions, and changes may be directed

by mail to the Law Enforcement Training Board, ATTENTION: Charles Braun, Staff Attorney, P. O. Box 313, Plainfield, Indiana 46168-0313, by electronic mail to cbraun@ilea.state.in.us, or by telephone at (317) 837-3264. Statutory authority: IC 5-2-1-9; IC 5-2-1-11; IC 5-2-1-15; IC 5-2-1-16.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #02-126

Under IC 4-22-2-23, the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: The rule will add and amend requirements to exhibit livestock and other animals in Indiana. Comments on the proposed rule may be sent to the Indiana State Board of Animal Health, ATTENTION: Legal Affairs, 805 Beachway Drive, Suite 50, Indianapolis, Indiana 46224 or by electronic mail to ghaynes@boah.state.in.us. Statutory authority: IC 15-2.1-3-19.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #02-127

Under IC 4-22-2-23, the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: The rule will amend facility, sanitation, testing, and other requirements for livestock and poultry slaughter and processing establishments and update matters incorporated by reference. Makes other changes in the law of meat and poultry inspection. Comments on the proposed rule may be sent to the Indiana State Board of Animal Health, ATTENTION: Legal Affairs, 805 Beachway Drive, Suite 50, Indianapolis, Indiana 46224 or by electronic mail to ghaynes@boah.state.in.us. Statutory authority: IC 15-2.1-3-19.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-140

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 5-14 to add copayments for dental services, restrict comprehensive oral evaluations and

Notice of Intent to Adopt a Rule

detailed and extensive oral evaluations to one per 12 month period, and to update the rule to comport with current operational procedures for covered services and prior authorizations requirements. Statutory authority: IC 12-8-6-5; 12-15-1-10; IC 12-15-21-3.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-141

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 5-24-7 to revise copayment structure for drugs reimbursed by Medicaid. Brand name legend drugs will be subject to a \$3.00 copayment. Generic legend drugs, all nonlegend drugs, and compounded prescriptions will be subject to a \$.50 copayment. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-144

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 1-14.5 to change the index used in the calculation of the fair rental allowance from the United States Treasury 30 year bond to the United States Treasury 10 year bond. It was recently announced that the U.S. Treasury had stopped issuing the 30 year bond and that the 10 year bond is the new benchmark bond. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-145

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Adds 405 IAC 2-9 to provide for the placement of liens on the real property of certain Medicaid recipi-

ents. This rule implements IC 12-15-8.5 as added by P.L.178-2002 (HEA 1196). Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-8.5.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-146

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 2-3-3 to specify that impairment-related work expenses are excluded from income for those individuals receiving Medicaid for the disabled. Amends 405 IAC 2-3-17 and 405 IAC 2-3-21 to specify that the personal needs allowance is the amount set by Indiana statute. Provides for a personal needs allowance supplement to the extent required by Indiana statute. Statutory authority: IC 12-8-6-5; IC 12-15-1-10.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #02-142

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

OVERVIEW: Revise rules to govern the health, safety, sanitation, maintenance, and operation of public and semi-public swimming pools, wading pools, and spas. Written comments may be submitted to the Indiana State Department of Health, ATTENTION: Office of Legal Affairs and Policy, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-19-3-4.

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

LSA Document #02-151

Under IC 4-22-2-23, the Division of Disability, Aging, and Rehabilitative Services intends to adopt a rule concerning the following:

OVERVIEW: Amends the personal needs allowance amount allowed under room and board assistance income eligibility to increase the amount from \$50 to \$52 pursuant to amended state

Notice of Intent to Adopt a Rule

statute. Statutory authority: IC 12-8-8-4; IC 12-10-6-2 as amended; IC 12-10-6-3.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #02-152

Under IC 4-22-2-23, the Division of Family and Children intends to adopt a rule concerning the following:

OVERVIEW: Amends the personal needs allowance amount allowed under assistance to residents in county homes income eligibility to increase the amount from \$50 to \$52 pursuant to amended state statute. Statutory authority: IC 12-13-5-3; IC 12-10-6-1 as amended; IC 12-13-2-3.

TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #02-137

Under IC 4-22-2-23, the Department of Insurance intends to adopt a rule concerning the following:

OVERVIEW: To implement IC 27-1-34 regarding multiple employer welfare arrangements, including, but not limited to, certificate of registration requirements, reinsurance requirements, reserve levels, deposits, financial reporting, fidelity bond, and the operations of the multiple employer welfare arrangements. Written comments may be submitted to the Indiana Department of Insurance, ATTENTION: Amy Strati, 311 West Washington Street, Suite 300, Indianapolis, Indiana 46204 or email to astrati@doi.state.in.us. Statutory authority: IC 27-1-34-9.

TITLE 832 STATE BOARD OF FUNERAL AND CEMETERY SERVICE

LSA Document #02-147

Under IC 4-22-2-23, the State Board of Funeral and Cemetery Service intends to adopt a rule concerning the following:

OVERVIEW: The State Board of Funeral and Cemetery Service intends to revise the licensing and examination fees charged and collected by the board. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, ATTENTION: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, Indiana 46204-2700. Statutory authority: IC 25-15-9-8; IC 25-15-9-9.

TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #02-131

Under IC 4-22-2-23, the Indiana Optometry Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 852 IAC 1-1.1-4 concerning application for a license to practice optometry; approval of schools of optometry. Public comments are invited and may be directed to the Indiana Optometry Board, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 25-24-1-1.

TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #02-132

Under IC 4-22-2-23, the Indiana Optometry Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 852 IAC 1-13-1 concerning license revocation and the duties of practitioners whose licenses have been revoked. Amends 852 IAC 1-13-2 concerning license suspension and the duties of practitioners whose licenses have been suspended. Effective 30 days after filing with the secretary of state. Public comments are invited and may be directed to the Indiana Optometry Board, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 25-24-1-1.

TITLE 852 INDIANA OPTOMETRY BOARD

LSA Document #02-133

Under IC 4-22-2-23, the Indiana Optometry Board intends to adopt a rule concerning the following:

OVERVIEW: Adds 852 IAC 1-17-1 concerning application requirements for a limited license. Adds 852 IAC 1-17-2 concerning examination required for a limited license. Adds 852 IAC 1-17-3 concerning renewal of a limited license. Effective 30 days after filing with the secretary of state. Public comments are invited and may be directed to the Indiana Optometry Board, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 25-24-1-1.

Notice of Intent to Adopt a Rule

TITLE 876 INDIANA REAL ESTATE COMMISSION

LSA Document #02-148

Under IC 4-22-2-23, the Indiana Real Estate Commission intends to adopt a rule concerning the following:

OVERVIEW: Revise the procedures to reactivate an inactive license. Revise the fees charged to reinstate an expired license. Revise the fee schedule for the real estate appraiser licensure and certification program and to add an issuance and renewal fee for preclicensure real estate appraiser schools and courses under 876 IAC 3-4 and real estate appraiser continuing education course providers under 876 IAC 3-5. Allow an Indiana licensed trainee appraiser who has not associated with a licensed or certified appraiser to hold an inactive license either upon initial issuance of the license or upon the ending of a previous association with a licensed or certified appraiser and establish a time period during which an Indiana licensed trainee appraiser license may be held in an inactive status before it becomes void. Revise the requirements for the use and supervision of Indiana licensed trainee appraisers by licensed or certified appraisers. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, ATTENTION: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, IN 46204-2700. Statutory authority: IC 25-34.1-2-5; IC 25-34.1-3-8; IC 25-34.1-3-9; IC 25-1-8-2.

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

LSA Document #02-134

Under IC 4-22-2-23, the Indiana Board of Veterinary Medical Examiners intends to adopt a rule concerning the following:

OVERVIEW: Amends 888 IAC 1.1-6-1 concerning the application content for examination applicants, and the deadline for applying to take the examination for licensure. Effective 30 days after filing with the secretary of state. Public comments are

invited and may be directed to the Indiana Board of Veterinary Medical Examiners, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 15-5-1.1-8.

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

LSA Document #02-135

Under IC 4-22-2-23, the Indiana Board of Veterinary Medical Examiners intends to adopt a rule concerning the following:

OVERVIEW: Amends 888 IAC 1.1-6-3 concerning examination scores and remedial education. Effective 30 days after filing with the secretary of state. Public comments are invited and may be directed to the Indiana Board of Veterinary Medical Examiners, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 15-5-1.1-8.

TITLE 888 INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS

LSA Document #02-136

Under IC 4-22-2-23, the Indiana Board of Veterinary Medical Examiners intends to adopt a rule concerning the following:

OVERVIEW: Adds 888 IAC 1.1-11 concerning inactive status of licenses to practice veterinary medicine and inactive status of registered veterinary technicians. Effective 30 days after filing with the secretary of state. Public comments are invited and may be directed to the Indiana Board of Veterinary Medical Examiners, ATTENTION: Director, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204 or by email to cvaught@hpb.state.in.us. Statutory authority: IC 15-5-1.1-8.